

ESTTA Tracking number: **ESTTA496376**

Filing date: **09/25/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91202219
Party	Plaintiff Eat Right Foods Ltd.
Correspondence Address	SIMONE M KATZ ONEILL SHARTISIS FRIESE LLP ONE MARITIME PLAZA, 18TH FLOOR SAN FRANCISCO, CA 94111 UNITED STATES skatz@sflaw.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Joseph V. Mauch
Filer's e-mail	jmartin@sflaw.com, jmauch@sflaw.com, calendar@sflaw.com
Signature	/s/ Joseph V. Mauch
Date	09/25/2012
Attachments	Notice of Reliance No. 21.pdf ( 2 pages )(1163664 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

EAT RIGHT FOODS LTD.,

Opposer,

v.

KEVIN LEVILLE,

Applicant.

Opp. No.: 91202219

Ser. No.: 77/868,068

Date of Publication:  
April 26, 2012

**OPPOSER EAT RIGHT FOODS LTD.'S**  
**NOTICE OF RELIANCE NO. 21**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that, pursuant to 37 C.F.R. § 2.122(e) and 704.08(b) of the Trademark Trial and Appeal Board Manual of Practice and Procedure, Opposer Eat Right Foods Ltd. provides Notice of Reliance on material published on the Internet at [http://issuu.com/npgnewspapers/docs/josephine\\_jan\\_2012](http://issuu.com/npgnewspapers/docs/josephine_jan_2012), accessed and publicly available on September 24, 2012, submitted herewith. The material being offered is relevant to applicant Kevin Leville's use of the applied-for mark in commerce, the goods and services on which Applicant uses his mark, the channels of trade in which Applicant markets and sells such goods and services, and the likelihood of confusion between Applicant's applied-for mark and Opposer's registered marks.

Dated: September 25, 2012.

Respectfully Submitted,  
SHARTSIS FRIESE LLP

By: \_\_\_\_\_

  
JOSEPH V. MAUCH

Attorneys for Opposer  
EAT RIGHT FOODS LTD.

## Subscribe

Downloaded from <http://ajph.org/> by guest on June 11, 2016

continued



[http://issuu.com/npgnewspapers/docs/josephine\\_jan\\_2012](http://issuu.com/npgnewspapers/docs/josephine_jan_2012)